

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA

Plaintiff

-VS-

DIARIS L. MAPP

Defendant

CASE NO. 5:08CR322

ORDER ACCEPTING PLEA AND
JUDGMENT AND NOTICE OF HEARING

FILED
08 NOV 13 PM 1:06
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge William H. Baughman, Jr. regarding the change of plea hearing and notice of plea of Diaris L. Mapp which was referred to the Magistrate Judge with the consent of the parties.

On 5 August 2008, the government filed a one-count indictment against Diaris L. Mapp for felon in possession in violation of 18 U.S.C. Section 922(g)(1). On 3 September 2008, a hearing was held in which Diaris L. Mapp entered a plea of not guilty before Magistrate Judge James S. Gallas. On 21 October 2008, Magistrate Baughman received Diaris L. Mapp's plea of guilty and issued a Report and Recommendation ("R&R") concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Diaris L. Mapp is found to be competent to enter a plea. He understands his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea is approved.

Therefore, Diaris L. Mapp is adjudged guilty of Count One in violation of 18 U.S.C. Section 922(g)(1).

Sentencing will be:

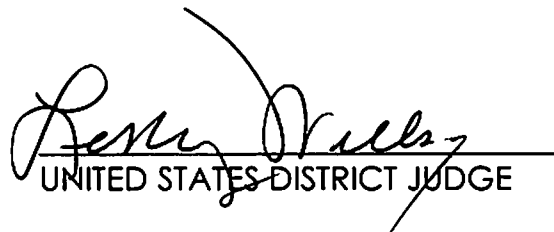
30 December 2008 at 9:30 a.m.

**Courtroom 19-A
19th Floor, United States District Court
801 West Superior Avenue
Cleveland, Ohio 44113**

IT IS SO ORDERED.

Dated:

13 Nov. 08


UNITED STATES DISTRICT JUDGE